

Application Serial Number 09/963,630
Response to Office Action
Dated January 13, 2005

REMARKS / DISCUSSION OF ISSUES

Claims 1-20 are pending in the application upon entry of the present amendment. Claims 1, 8 and 16 are the independent claims.

New Claims

News claim 8-20 have been added. Examination of new claims 8-20 is respectfully requested. Moreover, because the basic fee paid on September 26, 2001 provides for a total of twenty claims and three independent claims, it is believed that no additional fee is due for these claims.

Multiple Dependencies

In a Preliminary Amendment filed with the present application, multiple dependencies were removed. However, from the Office Action it appears that the claims with multiple dependencies were examined, rather than the claims filed with the Preliminary Amendment. Clarification is respectfully requested. Moreover, because the Preliminary Amendment was filed with the filed application, no fees for such multiple dependencies should have been charged. If these fees were charged, a refund to the originally charged deposit account (and **not** the deposit account referenced above) is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1-7 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Ellis, et al.* (U.S. Patent 6,774,926).

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For at least the reasons set forth below, it is respectfully submitted that this rejection is improper and should be withdrawn.

A proper rejection for anticipation requires, as the first step in the inquiry, that all the elements of the claimed invention be described in a single reference. A necessary corollary to the test of anticipation is that the absence from the reference of any claimed element negates anticipation.

Claim 1 features a receiver and a plurality of other program receiving devices adapted to receive programs. The receiver is connected to the plurality of receiving devices via an interface circuit. In addition, claim 1 features a switch connected to a reproduction element. The switch is adapted to selectively connect each of the receiving devices to the reproduction element.

Claim 8 includes a similar feature.

It is respectfully submitted that the reference to Ellis, et al. lacks at least the referenced features of claims 1 and 8. The reference to Ellis, et al. is drawn to a personal television channel system. The system includes television distribution facilities 32 used to distribute television programming to user equipment 34. User equipment 34 may be user television equipment 36 or computer equipment 38.

The Office Action relies on the disclosure of the user television equipment 36 and the computer equipment 38 of Ellis, et al. for receivers. However, equipment 36, 38 of Ellis, et al. does not include a plurality of receiving devices connected to a receiver via an interface circuit as

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recited in claims 1 and 8. Furthermore, the reference to *Ellis, et al.* fails to disclose the switch connected to the reproduction element as featured in claims 1 and 8.

(Kindly refer to page 2 of the Office Action.)

For at least the reasons set forth above, it is respectfully submitted that the applied art fails to disclose at least one of the features of each of independent claims 1 and 8. As such, a *prima facie* case of anticipation based on *Ellis, et al.* cannot properly be made. Therefore claims 1 and 8 are patentable over the applied art. Furthermore, claims 2-7 and 9-15, which depend from claims 1 and 8, respectively, are also patentable over the applied art at least because of their dependence on claims 1 and 8.

Claim 16 is drawn to a method. The method features: ***receiving a plurality of programs and providing simultaneously to each of a plurality of receiving devices a respective one of the plurality of programs.***

It is respectfully submitted that the reference to *Ellis, et al.* lacks at least the disclosure of the referenced feature of claim 16.

The Office Action relies on the disclosure in *Ellis, et al.* at column 15, lines 40-47 of the personal television program or channel being displayed as shown in Fig. 19. This personal program may be displayed on the user's display while personal programming is being viewed. However, the reference does not disclose the providing ***simultaneously to each of a plurality of receiving devices a respective one of the plurality of programs.*** Rather, the user program and an option via a key on a remote control

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for accessing a web page; or a program guide may be viewed while a channel is being displayed. (Kindly refer to page 4 of the Office Action.)

Accordingly, for at least the reasons set forth above, it is respectfully submitted that the reference to *Ellis, et al.* lacks the disclosure of at least one of the features of claim 16. Therefore *Ellis, et al.* cannot serve to establish a prima facie case of anticipation of claim 16. As such, it is respectfully submitted that claim 16 is patentable over the applied art. Moreover, claims 17-20 which depend from claims 16 are also patentable over the applied art at least because of their dependence on claim 16.

Conclusion

In view of the foregoing, applicant(s) respectfully request(s) that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

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